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**PATENT APPLICATION**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

**Hirobumi AOKI et al**

Conf. No.: 1209

Appln. No.: 09/869,142

Group Art Unit: 1652

Filed: June 26, 2001

Examiner: Fronda, C.

For: **NOVEL RHODOCOCCLUS BACTERIUM, NITRILASE GENE, NITRYL  
HYDRATASE GENE AND AMIDASE GENE FROM RHODOCOCCLUS  
BACTERIUM, AND PROCESS FOR PRODUCING CARBOXYLIC  
ACIDS USING THEM**

**SUPPLEMENTAL INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. §§ 1.97 and 1.98**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**  
JUL 24 2003  
TECH CENTER 1600/2900

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicants hereby notify the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, along with a copy of the corresponding Communication from a Foreign Patent Office.

The present Supplemental Information Disclosure Statement is being filed after a Final Office Action, but before payment of the Issue Fee. Therefore Applicants are submitting herewith a check for the fee of \$180.00 under 37 C.F.R. § 1.17(p), and a Statement Under 37 C.F.R. § 1.97(e).

The U.S. Patent and Trademark Office is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this paper is attached.

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**SUPPLEMENTAL INFORMATION  
DISCLOSURE STATEMENT  
U.S. Appln. No. 09/869,142**

The present Supplemental Information Disclosure Statement is being filed thirty days or fewer from the Communication from a foreign patent office, therefore a Statement Under 37 C.F.R. §1.704(d) is attached.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

Respectfully submitted,



Drew Hissong  
Registration No. 44,765

**SUGHRUE MION, PLLC**  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE



**23373**

PATENT TRADEMARK OFFICE

Date: July 21, 2003

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## STATEMENT UNDER 37 C.F.R. § 1.704(d)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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JUL 24 2003  
TECH CENTER 1600/2900

Sir:

The undersigned hereby states, upon information and belief:

That each item of information contained in the Supplemental Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making a reasonable inquiry, that the communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of said Supplemental Information Disclosure Statement.

Respectfully submitted,

Drew Hissong  
Registration No. 44,765

**SUGHRUE MION, PLLC**  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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of

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Application Number	09/869,142
Confirmation Number	1209
Filing Date	June 26, 2001
First Named Inventor	Hirobumi AOKI et al
Part Unit	1652
Examiner Name	Frona, C.
Attorney Docket Number	Q64574

[illegible][illegible]

NON-PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>
		Kobayashi et al, <i>Biochem. and Biophysc. Res. Comm.</i> , 253:662-666 (1998)	
		Bunch, <i>Antonie Van Leeuwenhoek</i> , 74(1-3):89-97 (1998)	
		Stevenson et al, <i>Biotech. and Appl. Biochem.</i> , 15(3):283-302 (1992)	

**Date Considered**

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to indicate here if English language Translation is attached.